

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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COMMERCE AND INDUSTRY INSURANCE  
COMPANY and AMERICAN  
INTERNATIONAL SPECIALTY LINES  
INSURANCE COMPANY,

Plaintiffs,

- vs. -

U.S. BANK NATIONAL ASSOCIATION, AS  
INDENTURE TRUSTEE FOR THE  
REGISTERED HOLDERS OF FMAC LOAN  
RECEIVABLES TRUSTS 1997-B, 1998-B,  
1998-C, 1998-D AND 2000-A,

Defendant.  
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Case No. 07-CV-5731 (JGK)  
(RLE)

**AFFIDAVIT OF SERVICE**

STATE OF NEW YORK     )  
                                  ) ss:  
COUNTY OF NEW YORK )

ROBERT GEE, being duly sworn, deposes and says that deponent is not a party to the action, is over 18 years of age and is employed by McKenna Long & Aldridge LLP.

That on the 29<sup>th</sup> day of October, 2007, deponent served, by U.S. Mail, a true and correct copy of (1) **DEFENDANT'S ANSWER AND COUNTERCLAIM** and (2) **RULE 7.1**

**DISCLOSURE STATEMENT** upon the following:

**Andrew Racca, Esq.**  
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the address designated by said attorneys for that purpose, by depositing the same enclosed in a postage pre-paid envelope in a post office official depository under the exclusive case and custody of the United States Postal service within the State of New York.

R. Robert Lee

Sworn to before me this  
29<sup>th</sup> day of October, 2007

  
NOTARY PUBLIC

JOANNE SARLO  
NOTARY PUBLIC, STATE OF NEW YORK  
NO. 01204831775  
Qualified in Kings County  
Commission Expires

8/31/2009